PETITION FOR ZONING VALIANCE 54-56-2 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 b. (6) to permit 10 parking spaces in lieu of the required B spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The hours of the business establishment will be open from 9:00 a.m. to 11:00 a.m. and from 1:00 p.m. to 3:00 p.m. There is only one employee at the location at this time. The amount of retail business at the location is very limited; in fact, it is a loss to operate a retail business at the location. It is done as a courtesy to the wholesale customers, in case of a shortage and a need for soda. If this is denied it will cause an extreme hardship to our business.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Contract Purchaser: Marvin P. Gyr. Inc. (Type or Print Name) Mami P. Slyc (Type or Print Name) Signature

City and State Attorney for Petitioner: 9200 Philadelphia Rd. - 668-2645 (Type or Print Name) Baltimore, Md. 21237 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Marvin P. Gyr City and State

OF DERED By The Zoning Co. hissioner of Baltimore County, this 19th July 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

9200 Philadelphia Rd.

Mr. Marvin P. Gyr 9200 Philadelphia Road Baltimore, Md. 21237

Attorney's Telephone I

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Zoning Commissioner

Attorney

Petitioner Varvin P. Cyr. INC. Received by: Micholas B. Commodari Chairman, Zoning Plans Advisory Committee

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RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER NW Comer of Philadelphia Rd. and Lennings Lane, 11th District OF BALTIMORE COUNTY

MARVIN P. GYR, INC., Petitioner: Case No. 34-56-A

111111 ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of the passage of any prelimitary or final Order in connection therewith.

Peter May Zummerm. Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2138

I HEREBY CERTIFY that on this 1st day of August, 1983, a copy of the foregoing Order was mailed to Marvin P. Gyr, Inc., 9200 Philadelphia Road, Baltimore, MD 21237, Petitioner.

To Herran, Al

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond Zoning Commissioner July 29, 1983 Norman E. Gerber, Director

Office of Planning and Zoning

SUBJECT Zoning Petition #84-56-A
Marvin P. Gyr, Inc.

If granted it is requested that a landscaping plan, submitted to and approved by the Division of Current Planning and Development, be required.

Office of Planning and Zoning

NEG:JGH:si

Your petition has been received and accepted for filing this 19th day of July 10 27 _ day of _____, 1983.

> Traffic Engineering State Roads Commission Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education

MEMBERS

Bureau of

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 11, 1983

111 W. Chesapeake Ave. Towson, Maryland 21204

Nicholas B. Commodari Chairman

Engineering Department of

Zoning Administration

Industrial

Development

Mr. Marvin P. Gyr 9200 Philadelphia Road Baltimore, Maryland 21237

> RE: Item No. 247 - Case No. 84-56-A Petitioner - Marvin P. Gyr, Inc. Variance Petition

Dear Mr. Gyr:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

The subject property is zoned B.L. and is improved with a dwelling, a commercial building and an accessory parking area. In view of your proposal to construct an addition to the latter structure, this variance hearing for parking is required.

I spoke to a gentleman from your office concerning the existing use of this property and the submitted site plan. Since there were a number of storage trailers stored on the site at the time of field inspection, I questioned whether this was a warehouse operation. How-ever, it was explained that the majority of business conducted is retail sales. I suggest that this be fully discussed at the time of the hearing. In addition, the trailer should be removed, and if the addition is allowed to be constructed it should be located at least 7½ feet from the existing dwelling.

Particular attention should be afforded to the comments from the State Highway Administration.

Item No. 247 - Case No. 84-56-A Petitioner - Marvin P. Gyr, Inc. Variance Petition Page 2

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, nicholas & Commadate; Les NICHOLAS B. COMMODARI

NBC:bsc Enclosures Zoning Plans Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

Mr. William E. Hammond

County Office Building

Towson, Maryland 21204

Zoning Commissioner

TOWSON, MARYLAND 21204

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

Re: Item #247 (1982-1983)

District: 14

Property Owner: Marvin P. Gyr, Inc. N/W cor. Philadelphia Rd. & Lenning Lane

Acres: 123/100 x 181.6/180

June 22, 1983

Highways:

Philadelphia Road (Md. 7) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Lenning Lane, an existing public road, is proposed to be further improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way, with fillet areas for sight distance at the Philadelphia Road intersections.

The entrance locations are also subject to approval by the Department of

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Traffic Engineering.

A A

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/ result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested with will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /skeuldemot be graied.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26 _____, 19 83 , that the herein Petition for Variance(s) to permit 10 parking spaces in lieu of the required 13 spaces, is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1. No trucks or trailers shall be stored on the property. Trailers, being unloaded, shall not remain on the property more than 2 work days.
- Screening shall be 4 foot high compact evergreen plantings. All portions of the proposed addition shall be located at

least 7½ feet from the existing dwelling.

- A detailed landscaping plan shall be submitted and approved by the Current Planning and Development Division and the Zoning office.
- The driveway onto Lennings Lane shall be delineated by barriers (railroad ties, wheel stops, etc.).
- A durable, dustless surface shall be installed prior to occupancy of the new addition.
- 7. A revised site plan, incorporating the restrictions set forth above, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.
- 8. No building permits shall be issued until the expiration of any and all appeal periods.

Item #247 (1982-1983)

Water and Sanitary Sewer:

June 22, 1983

RAM: EAM: FWR:ss

I-NW Key Sheet

NE 5 G Topo

82 Tax Map

19 & 20 NE 28 Pos. Sheets

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

Property Owner:

Existing Zoning:

Proposed Zoning:

Location:

Acres:

Dear Mr. Hammond:

District:

STEPHEN E. COLLINS DIRECTOR

Mr. William Hammond Zoning Commissioner

County Office Building Towson, Maryland 21204

Property Owner: Marvin P. Gyr, Inc.

A 16-inch public water main exists in Philadelphia Road. Public 8-inch

Bureau f Public Services

June 22, 1983

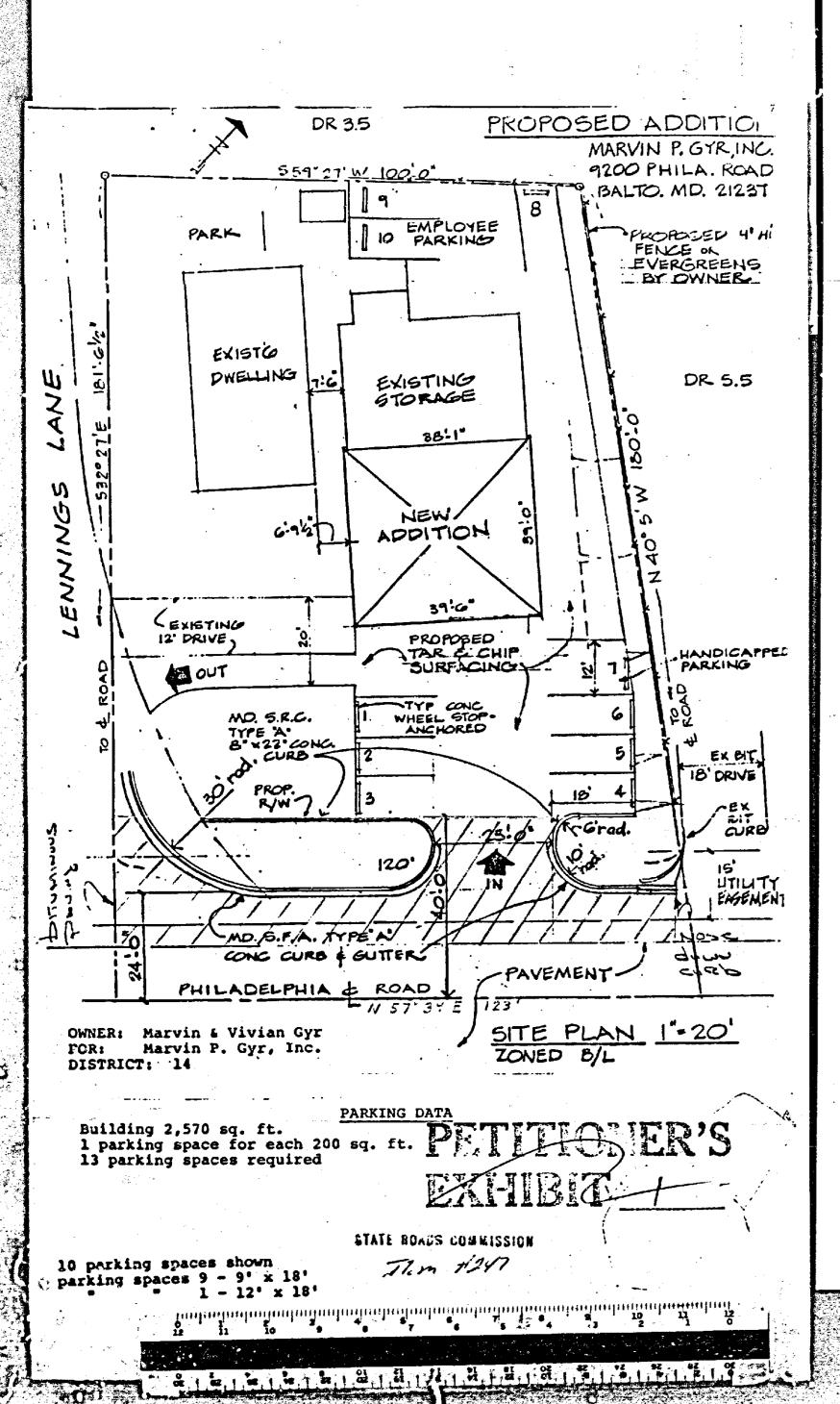
Meeting of May 24, 1983 Item No. 237, 238, 239, 240, 241, 242, 243, 244, 246, 247, and 248

The Department of Traffic Engineering has no comments for

Traffic Engineer Assoc. II

items numbers 237, 238, 239, 240, 241, 242, 243, 244, 246, 247, and 248.

sanitary sewerage exists in Lenning Lane and Philadelphia Road.



Maryland Department of Transportation

Lowell K. Bridweil M. S. Caltrider

May 25, 1983

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 5-24-83 ITEM: #247. Property Owner: Marvin P. Gyr, Inc. Location: NW/Cor. Philadelphia Road, Route 7 and Lennings Lane Existing Zoning: B.L. Proposed Zoning: Variance to permit 10 parking spaces in lieu of the required 13 spaces. Acres: 123/100 X 181.6/180 District: 14

Dear Mr. Hammond:

On review of the site plan and field inspection, the State Highway Administration finds minor revisions will be required.

These revisions are as follows:

- 1. Construct the proposed S.H.A. Type "A" concrete curb and gutter to the N/E property line and nose down the curb. Construct a bituminous curb from the existing bituminous curb to the proposed nosed down section.
- 2. Show bituminous paving from the edge of the traveled way to the S.H.A. proposed right of way line within the entrance.

Teletypewriter for Impaired Hearing or Speech

383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free

BALTIMORE COUNTY DEPARTMENT OF HEALTH

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

June 14,1983

(301) 659-1350

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Zoning Item # 247, Zoning Advisory Committee Meeting of May 24, 1983

Property Owner: Maruin P. Gyr, Inc.

Location: Mw/Cor. Philadelphia Road District 14

Water Supply <u>Oublic</u> Sewage Disposal <u>Dublic</u> COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should
- contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation, a before work begins.

 () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts
- into the atmosphere. () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 247
Page 2

()	Any existing underground storage tanks	containing gasoline, waste oil
		solvents, etc., must have the contents :	removed by a licensed hauler ar
		either be removed from the property or ;	properly backfilled.

() Soil percolation tests have been conducted. The results are valid until

	()	Revised tests.	. plans	must t	oe subm	itted	prior	to	appr	oval	of the	perco:	latio
•)	Prior	to occu	pancy	approva	al, the	potab	ility	of	the	water	supply	must	Ъe

- verified by collection of bacteriological and chemical water samples.

 () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until
- is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit
- (X) All roads and parking areas should be surfaced with a dustless, bonding
- (X) No health hazards are anticipated

in the second contract and an analysis and an	
Others	
•	
	
	Others

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

May 25, 1983

Very truly yours,

Charles Lee, Chief

Access Permits

Bureau of Engineering

By: George Wittman

It is requested the plan be revised prior to a hearing date. All access to the site will be through permit from

the S.H.A. with the posting of a \$5,000.00 bond to guarantee

construction.

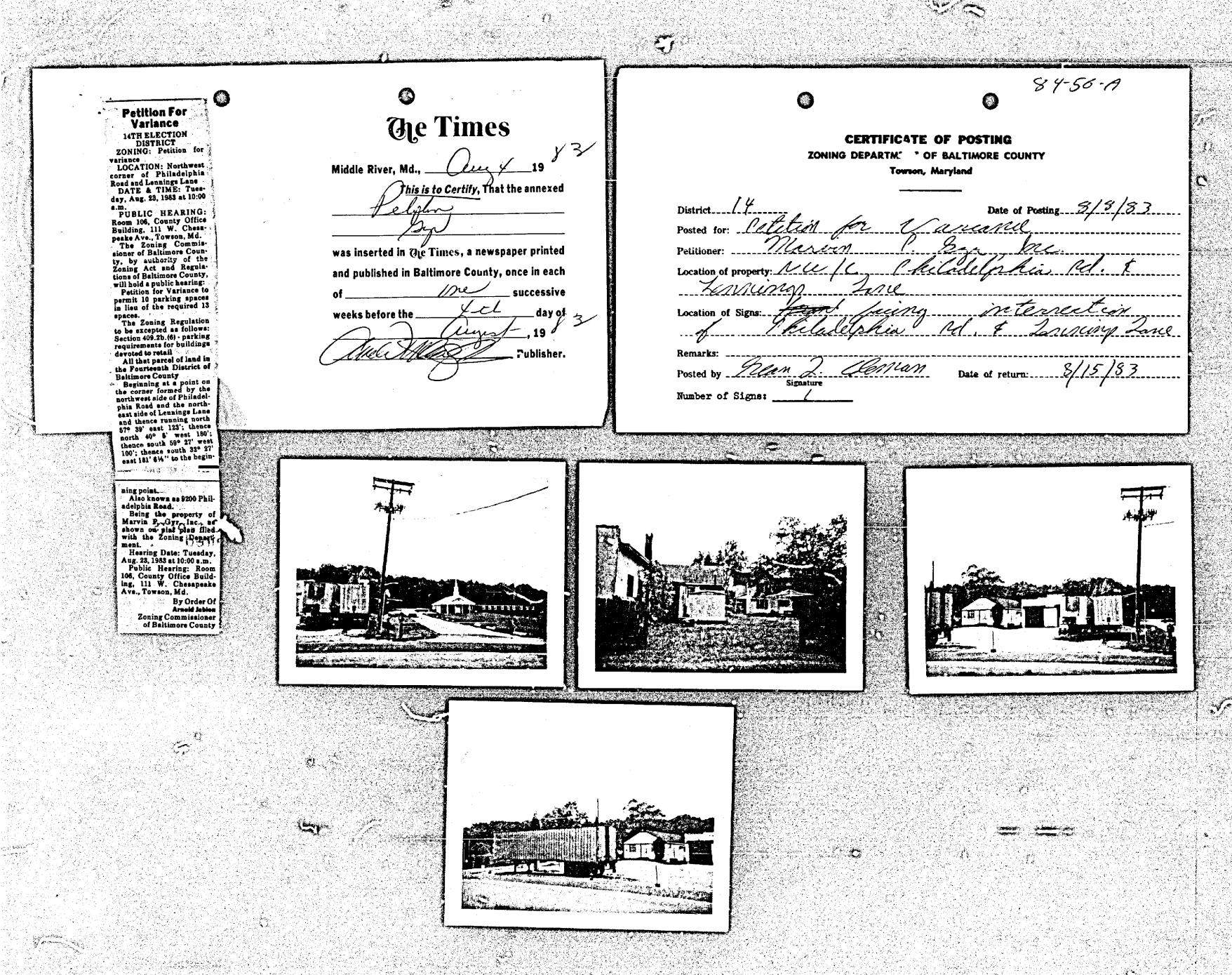
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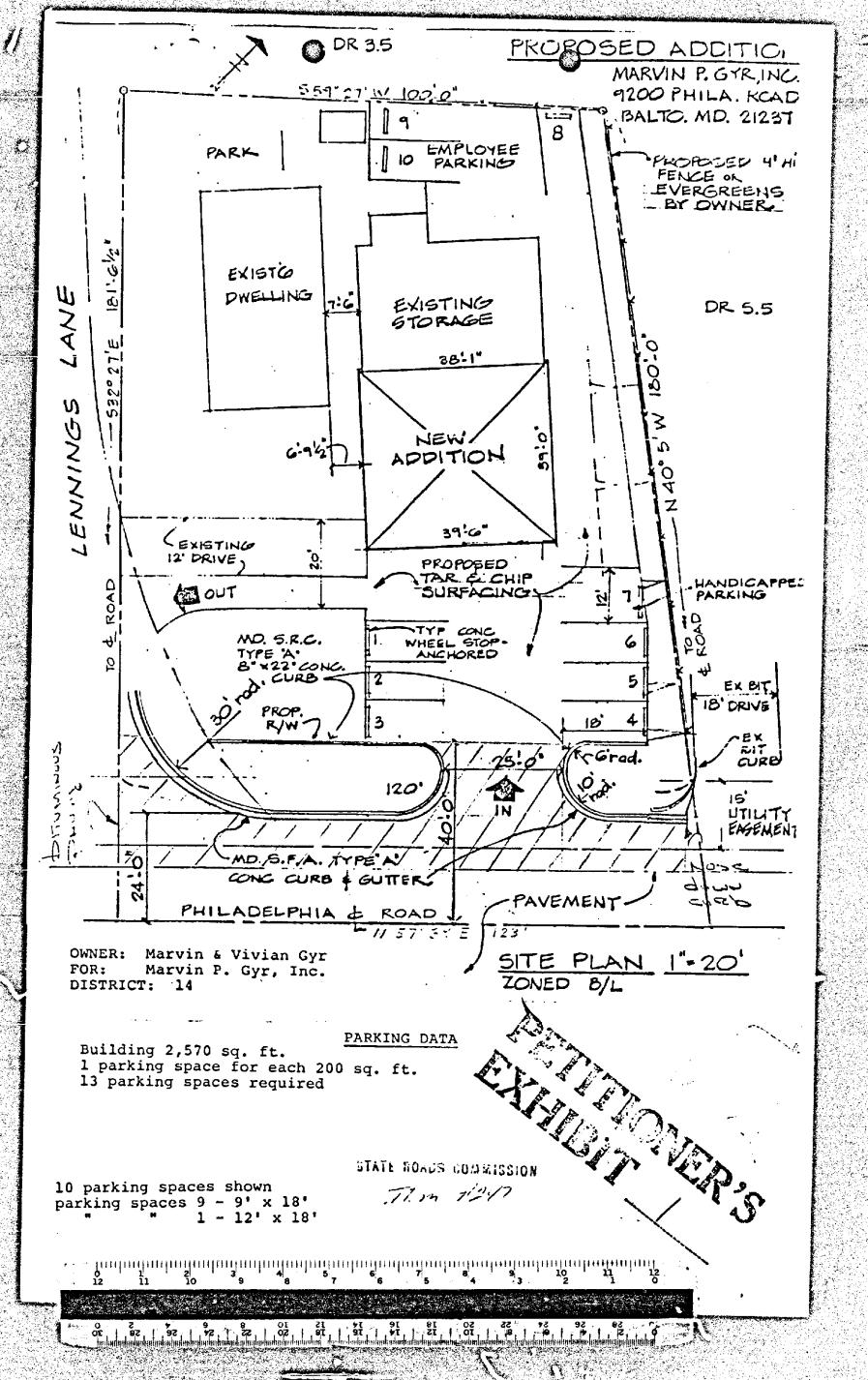
cc: Mr. J. Ogle

SS 20 1080 (2)

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FEB 21 WA





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